IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.224 OF 2004.

Keru Shankar Bagul. ... Petitioner.
Versus.
Smt.Mandabai Pandurang Pawar & ors. ... Respondents.

Shri C.G.Gavnekar for the Petitioner.

Shri Sachin Gite holding for Ms.Kanchan Karangutkar for the Respondents Nos.1 to 4.

Shri D.A.Patil, A.G.P. for Respondent No.6.

CORAM : ABHAY S.OKA, J.

DATED : 26th April, 2007.

P.C.:

1. Submissions of the learned Counsel appearing for the parties are heard. When it is brought to the notice of the learned Counsel for the Petitioner that there is no effective service of order dated 14th October 2002 passed by this Court in Civil Application No.1082 of 2002 in Second Appeal No.775 of 2002, the learned Counsel fairly stated that he is not pressing the contempt petition.

2. In view of the service report and what is stated in the affidavits on record, no case is made out for taking any action under the Contempt of Courts Act, 1971 against the contemnors. Accordingly the notice issued to the contemnors is discharged and the petition is

disposed of.

3. It is made clear that the dismissal of the contempt petition will not prevent the Petitioner from adopting appropriate remedy on the basis of the order dated 14th October 2002.

Judge.